

BEFORE THE STATE BOARD OF REAL ESTATE APPRAISERS

STATE OF IDAHO

In the Matter of the License of:

GEORGE E. HANEY,
License No. LRA-86,

Respondent.

Case No. REA-2007-121

FINAL ORDER

THIS MATTER came on for hearing on May 14 and 15, 2008, before Jean R. Uranga, the designated Hearing Officer. George Haney appeared representing himself and Michael Gilmore appeared representing the Idaho Bureau of Occupational Licenses. The parties presented testimony and documentary evidence. On November 7, 2008, the Hearing Officer submitted her Memorandum Decision and Recommended Order. Also on November 7, 2008, the Hearing Officer submitted a Schedule of Review for the Recommended Order. Thereafter, on April 13, 2009, Respondent appeared before the Board and was allowed oral argument on this matter.

This matter came before the Idaho State Board of Real Estate Appraisers at a specially scheduled meeting of the Board on June 3, 2009, for a decision. The Board, having conducted an independent review of the record, and having considered all evidence and arguments of counsel presented before the Hearing Officer, the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefor, the Board unanimously adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That the Hearing Officer's Findings of Fact and Conclusions of Law are hereby adopted and incorporated herein by reference.

FINAL ORDER - 1.

2. That the Respondent committed a number of significant and serious violations of USPAP in his appraisals, as reviewed in the Findings of Fact. That it appears Respondent failed to take responsibility for these violations. Further, that this is not an isolated incident, as this constitutes the third disciplinary action against this Respondent.

3. That Respondent's license shall be revoked.

4. That Respondent shall pay the costs and attorney fees incurred by the State in the investigation and prosecution of this matter. The State shall submit an Affidavit of Costs and Attorney Fees incurred in this matter within thirty (30) days from the date of this Order. Respondent shall submit any objection to the costs and fees submitted by the State and request a hearing within fifteen (15) days from the receipt of the State's Affidavit. Thereafter, the Board shall determine the amount of costs and fees awarded against Respondent and, in the event Respondent fails to object to the costs and fees claimed by the State, Respondent shall pay the costs and fees set forth in its Affidavit. The Respondent shall pay the costs and fees as determined by the Board, or as set forth in this section, within one hundred eighty (180) days from the date of this Order.

5. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4)).

b. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of

the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (*See*, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

6. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent's attorney and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 8th day of June, 2009.

STATE BOARD OF REAL ESTATE APPRAISERS

By Rick Alan Bachmeier
Rick Alan Bachmeier, Chairman

CERTIFICATE OF SERVICE

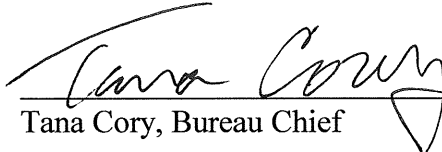
I HEREBY CERTIFY that on the 9th day of June, 2009, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Michael Gilmore
Melissa Moody
Deputy Attorney General
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivered
☒ Statehouse Mail
☐ Fax Transmission

George Haney
P.O. Box 625
Twin Falls, Idaho 83303

☒ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☒ Certified Mail



Tana Cory, Bureau Chief